Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 1 of 20

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IN THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

In re: Donald Gene Atwell xxx-xx-9706 § Case No: 17-40257-13

§ Chapter 13

§

Glynda Ellen Atwell xxx-xx-6804

11041Peninsula Lane Keller, TX 76244

Debtor(s)

DEBTOR'S(S') CHAPTER 13 PLAN (CONTAINING A MOTION FOR VALUATION)

DISCLOSURES

$\overline{\mathbf{V}}$	This <i>Plan</i> does not contain any nonstandard provision(s).
	This <i>Plan</i> does contain nonstandard provision(s).
$\overline{\mathbf{V}}$	This <i>Plan</i> does not limit the amount of a secured claim based on a valuation of the <i>Collateral</i> for the claim.
	This <i>Plan</i> does limit the amount of a secured claim based on a valuation of the <i>Collateral</i> for the claim.
This	s Plan does not avoid a security interest or lien.

Language in italicized type in this *Plan* shall be as defined in the "General Order 2016-01, Standing Order Concerning Chapter 13 Cases" and as it may be superseded or amended ("General Order"). All provisions of the General Order shall apply to this *Plan* as if fully set out herein.

Page 1

Plan Paymen	t: Variable	Applicable Commitment Period: 60 months	Estimated Unsecured Creditors Pool:	\$0.00
Plan Term:	60 months	Disposable Income per § 1325(b)(2):	\$0.00	
Plan Base:	\$86,280.00	Value of Non-exempt property per § 1325(a)(4): \$0.00	

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 2 of 20

Case No: 17-40257-13

A. PLAN PAYMENTS:

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

MOTION FOR VALUATION

Pursuant to Bankruptcy Rule 3012, for purposes of 11 U.S.C. § 506(a) and § 1325(a)(5) and for purposes of determination of the amounts to be distributed to holders of secured claims who do not accept the *Plan*, *Debtor(s)* hereby move(s) the Court to value the *Collateral* described in Section I, Part E.(1) and Part F of the *Plan* at the lesser of the value set forth therein or any value claimed on the proof of claim. Any objection to valuation shall be filed at least seven (7) days prior to the date of the *Trustee's* pre-hearing conference regarding Confirmation or shall be deemed waived.

SECTION I DEBTOR'S(S') CHAPTER 13 PLAN - SPECIFIC PROVISIONS FORM REVISED 10/1/16

		Debtor(s) pro	ppose(s) to pay to the	Truste	e the s	um of	:			
		\$754.00	_ per month, months	1	_ to _	6	_•			
		\$1,514.00	_ per month, months	7	_ to _	60				
		For a total of	\$86,280.00 (e	stimat	ed " <i>Ba</i>	se An	nount").			
		First paymen	t is due							
		The applicab	le commitment period	is _(60 m	onths.				
		Disposable Ir	ncome calculated by L	ebtor(s) per	§ 132	5(b)(2) is:	\$0.00		
		Debtor's(s') e	equity in non-exempt p	roperty	, as es	stimate	ed by <i>Debtor(s)</i>	per § 1325(a	a)(4) is: \$0.00	
		The unsecure	ed creditor's pool, as e	stimat	ed by t	he <i>De</i>	ebtor(s), shall be	e no less thar	n \$0.00 .	
В.		CLERK'S FIL	DMINISTRATIVE AND LING FEE: Total filing	g fees	paid th		the <i>Plan</i> , if any	/, are 	\$0.00 and shall be pa	aid in full
	2.	noticing fees		of each	recei	<u> </u>			istee's Percentage Fee(s) a 014-04 (as it may be supers	•
	3.	Obligation dir					•		y Post-petition Domestic Su s per Schedule "E/F" shall b	• •
		D	SO CLAIMANTS			SCI	HED. AMOUNT	<u>%</u>	TERM (APPROXIMATE) (MONTHS TO)	TREATMENT \$ PER MO.
С.	ΔΤ	TORNEY FEE	S: To Alle	nand I	_aw Fi	rm P	lic	total: \$3	3,700.00 ;	
J .		\$229.00		471.00			sed by the <i>Trus</i>		<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>	

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 3 of 20

17-40257-13

Debtor(s): **Donald Gene Atwell**

Glynda Ellen Atwell

D.(1) PRE-PETITION MORTGAGE ARREARAGE:

MORTGAGEE	SCHED.	DATE	%	TERM (APPROXIMATE)	TREATMENT
	ARR. AMT	ARR. THROUGH		(MONTHS TO)	

D.(2) CURRENT POST-PETITION MORTGAGE PAYMENTS DISBURSED BY THE TRUSTEE IN A CONDUIT CASE:

MORTGAGEE	# OF PAYMENTS	CURRENT POST-	FIRST CONDUIT
	PAID BY TRUSTEE	PETITION MORTGAGE	PAYMENT DUE DATE
		PAYMENT AMOUNT	(MM-DD-YY)

D.(3) POST-PETITION MORTGAGE ARREARAGE:

MORTGAGEE	TOTAL	DUE DATE(S)	%	TERM (APPROXIMATE)	TREATMENT
	AMT.	(MM-DD-YY)		(MONTHS TO)	

E.(1) SECURED CREDITORS - PAID BY THE TRUSTEE:

Α

mobile Home

CREDITOR / COLLATERAL SCHED. AMT. VALUE MONTHS TO) TREATMENT Per Mo. B. CREDITOR / COLLATERAL SCHED. AMT. VALUE Monterrey Mhp Partners, Ltd \$1,462.00 \$1,462.00 0.00% Pro-Raterental lot	Montgomery Lovell, Ltd.	\$2,093.00	\$2,093.00	0.00%		Pro-Rata
COLLATERAL (MONTHS TO) Per Mo. B. CREDITOR / SCHED. AMT. VALUE % TREATMENT		\$1,462.00	\$1,462.00	0.00%		Pro-Rata
COLLATERAL (MONTHS TO) Per Mo.		SCHED. AMT.	VALUE	%		
	В.					
		SCHED. AMT.	VALUE	%	1 '	

To the extent the value amount in E.(1) is less than the scheduled amount in E.(1), the creditor may object. In the event a creditor objects to the treatment proposed in paragraph E.(1), the Debtor(s) retain(s) the right to surrender the Collateral to the creditor in satisfaction of the creditor's claim.

E.(2) SECURED 1325(a)(9) CLAIMS PAID BY THE TRUSTEE - NO CRAM DOWN:

COLLATERAL

A.				
CREDITOR / COLLATERAL	SCHED. AMT.	%	TERM (APPROXIMATE) (MONTHS TO)	TREATMENT Per Mo.
Ally Financial 2012 Ford F 150	\$26,309.39	4.25%	Month(s) 1-60	\$438.49
One Main Finance 2007 Honda Ridgeline V-6 (approx. 188500 miles)	\$7,324.07	4.25%	Month(s) 1-60	\$122.07
В.				
CREDITOR /	SCHED. AMT.	%		TREATMENT

Pro-rata

The valuation of Collateral set out in E.(1) and the interest rate to be paid on the above scheduled claims in E.(1) and E.(2) will be finally determined at confirmation. The allowed claim amount will be determined based on a timely filed proof of claim and the Trustee's Recommendation Concerning Claims ("TRCC") or by an order on an objection to claim.

Absent any objection to the treatment described in E.(1) or E.(2), the creditor(s) listed in E.(1) and E.(2) shall be deemed to have accepted the Plan per section 1325(a)(5)(A) of the Bankruptcy Code and to have waived its or their rights under section 1325(a)(5)(B) and (C) of the Bankruptcy Code.

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 4 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

F. SECURED CREDITORS - COLLATERAL TO BE SURRENDERED:

CREDITOR /	SCHED. AMT.	VALUE	TREATMENT
COLLATERAL			

Upon confirmation, pursuant to 11 U.S.C. § 1322(b)(8), the surrender of the *Collateral* described herein will provide for the payment of all or part of a claim against the *Debtor(s)* in the amount of the value given herein.

The valuation of *Collateral* in F will be finally determined at confirmation. The allowed claim amount will be determined based on a timely filed proof of claim and the *Trustee's Recommendation Concerning Claims* ("TRCC") or by an order on an objection to claim.

The *Debtor(s)* request(s) that the automatic stay be terminated as to the surrendered *Collateral*. If there is no objection to the surrender, the automatic stay shall terminate and the *Trustee* shall cease disbursements on any secured claim which is secured by the *Surrendered Collateral*, without further order of the Court, on the 7th day after the date the *Plan* is filed. However, the stay shall not be terminated if the *Trustee* or affected secured lender files an objection in compliance with paragraph 8 of the General Order until such objection is resolved.

Nothing in this Plan shall be deemed to abrogate any applicable non-bankruptcy statutory or contractual rights of the Debtor(s).

G. SECURED CREDITORS - PAID DIRECT BY DEBTOR:

CREDITOR	COLLATE	RAL SCHED. AMT.
City of Fort Worth Appraisal	Homestead	\$190.84
Keller ISD Appraisal	Homestead	\$44.66
Montgomey Lovell, LTD	Homestead	\$36,322.00
Regional Water District Appraisal	Homestead	\$5.58
Tarrant County Appraisal	Homestead	\$73.66
Tarrant County College Appraisal	Homestead	\$41.71
Tarrant County Hospital District Apprais	Homestead	\$63.58

H. PRIORITY CREDITORS OTHER THAN DOMESTIC SUPPORT OBLIGATIONS:

CREDITOR	SCHED. AMT.	TERM (APPROXIMATE) (MONTHS TO)	TREATMENT
Internal Revenue Service	\$36,000.00	Month(s) 10-59	Pro-Rata

SPECIAL CLASS:

CREDITOR	SCHED. AMT.	TERM (APPROXIMATE)	TREATMENT
		(MONTHS TO)	

JUSTIFICATION:

J. UNSECURED CREDITORS:

CREDITOR	SCHED. AMT.	COMMENT
Acceptance Now	\$1,755.00	
Ad Astra Recovery Serv	\$915.00	
Ad Astra Recovery Serv	\$596.00	
Advanced Genomics	\$4,510.44	
Alliance one	\$0.00	
Covington Credit/Smc	\$790.00	

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 5 of 20

Case No: 17-40257-13

Debtor(s): **Donald Gene Atwell**

Glynda Ellen Atwell

Giynda Ellen Atwell	
Credit Service Co	\$860.00
Credit Service Co	\$772.00
Credit Systems Intl In	\$260.00
Credit Systems Intl In	\$85.00
Credit Systems Intl In	\$72.00
Credit Systems Intl In	\$100.23
Credit Systems Intl In	\$1,551.70
Diversified Credit Sys	\$726.00
DRS	\$142.90
DRS	\$2,180.27
Ecmc	\$15,276.00
Financial Corp. of America	\$918.28
First National Bank	\$11.00
First National Collection Beuau	\$374.95
First Premier Bank	\$541.00
First Premier Bank	\$375.00
Forest Park Medical at Southlake	\$912.21
Gc Servies Limited Partnership	\$287.00
Heart Place	\$381.65
Medicredit, Inc	\$918.00
Mirand Response Systems	\$530.29
Mnet Financial	\$663.00
North Hills Hospital	\$1,269.70
NPAS Inc.	\$638.96
NTTA/Linebarger, Goggan, Blair &	\$0.00
Paramount Recovery Systems	\$56.00
Professional Account Management	\$0.00
Rs Clark and Associate	\$208.00
Rs Clark and Associate	\$208.00
Snap Finance	\$0.00
Spine Team Texas PA	\$407.44
TX Health physician Group	\$109.15
TX Health physician Group	\$124.97
United Revenue Corp	\$274.00
World Finance Corporat	\$800.80
TOTAL SCHEDULED UNSECURED:	\$40,601.94
IOTAL SCITEDULED UNSECURED.	Φ40,001.94

The *Debtor's(s')* estimated (but not guaranteed) payout to unsecured creditors based on the scheduled amount is ______.

General unsecured claims will not receive any payment until after the order approving the TRCC becomes final.

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 6 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

K. EXECUTORY CONTRACTS AND UNEXPIRED LEASES:

§ 365 PARTY	ASSUME/REJECT	CURE AMOUNT	TERM (APPROXIMATE)	TREATMENT
			(MONTHS TO)	

SECTION II DEBTOR'S(S') CHAPTER 13 PLAN - GENERAL PROVISIONS FORM REVISED 10/1/16

A. SUBMISSION OF DISPOSABLE INCOME:

Debtor(s) hereby submit(s) future earnings or other future income to the Trustee to pay the Base Amount.

B. ADMINISTRATIVE EXPENSES, DSO CLAIMS & PAYMENT OF TRUSTEE'S STATUTORY PERCENTAGE FEE(S) AND NOTICING FEES:

The Statutory Percentage Fees of the *Trustee* shall be paid in full pursuant to 11 U.S.C. §§ 105(a), 1326(b)(2), and 28 U.S.C. § 586(e)(1)(B). The *Trustee* is authorized to charge and collect Noticing Fees as indicated in Section I, Part "B" hereof.

C. ATTORNEY FEES:

Debtor's(s') Attorney Fees totaling the amount indicated in Section I, Part C, shall be disbursed by the *Trustee* in the amount shown as "Disbursed By The Trustee" pursuant to this *Plan* and the *Debtor's(s')* Authorization for Adequate Protection Disbursements ("AAPD"), if filed.

D.(1) PRE-PETITION MORTGAGE ARREARAGE:

The Pre-Petition *Mortgage Arrearage* shall be paid by the *Trustee* in the allowed pre-petition arrearage amount and at the rate of interest indicated in Section I, Part D.(1). To the extent interest is provided, it will be calculated from the date of the Petition. The principal balance owing upon confirmation of the *Plan* on the allowed pre-petition *Mortgage Arrearage* amount shall be reduced by the total adequate protection less any interest (if applicable) paid to the creditor by the *Trustee*. Such creditors shall retain their liens.

D.(2) CURRENT POST-PETITION MORTGAGE PAYMENTS DISBURSED BY TRUSTEE IN A CONDUIT CASE:

Current Post-Petition Mortgage Payment(s) shall be paid by the Trustee as indicated in Section I, Part D.(2), or as otherwise provided in the General Order.

The Current Post-Petition Mortgage Payment(s) indicated in Section I, Part D.(2) reflects what the Debtor(s) believe(s) is/are the periodic payment amounts owed to the Mortgage Lender as of the date of the filing of this Plan. Adjustment of the Plan Payment and Base Amount shall be calculated as set out in the General Order, paragraph 15(c)(3).

Payments received by the *Trustee* for payment of the *Debtor's Current Post-Petition Mortgage Payment(s)* shall be deemed adequate protection to the creditor.

Upon completion of the *Plan*, *Debtor(s)* shall resume making the *Current Post-Petition Mortgage Payments* required by their contract on the due date following the date specified in the *Trustee's* records as the date through which the *Trustee* made the last *Current Post-Petition Mortgage Payment*.

Unless otherwise ordered by the Court, if a *Conduit Debtor* is current on his/her *Plan Payments* or the payment(s) due pursuant to any wage directive, the *Mortgage Lender* shall be deemed current post-petition.

D.(3) POST-PETITION MORTGAGE ARREARAGE:

The Post-Petition Mortgage Arrearage shall be paid by the Trustee in the allowed amount and at the rate of interest indicated in Section I, Part D.(3). To the extent interest is provided, it will be calculated from the date of the Petition.

Mortgage Lenders shall retain their liens.

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

E.(1) SECURED CLAIMS TO BE PAID BY TRUSTEE:

The claims listed in Section I, Part E.(1) shall be paid by the *Trustee* as secured to the extent of the lesser of the allowed claim amount (per a timely filed Proof of Claim not objected to by a party in interest) or the value of the *Collateral* as stated in the *Plan*. Any amount claimed in excess of the value shall automatically be split and treated as unsecured as indicated in Section I, Part H or J, per 11 U.S.C. § 506(a). Such creditors shall retain their liens on the *Collateral* described in Section I, Part E.(1) as set out in 11 U.S.C. § 1325(a)(5)(B)(I) and shall receive interest at the rate indicated from the date of confirmation or, if the value shown is greater than the allowed claim amount, from the date of the Petition, up to the amount by which the claim is over-secured. The principal balance owing upon confirmation of the *Plan* on the allowed secured claim shall be reduced by the total of adequate protection payments less any interest (if applicable) paid to the creditor by the *Trustee*.

E.(2) SECURED 1325(a)(9) CLAIMS TO BE PAID BY THE TRUSTEE--NO CRAM DOWN:

Claims in Section I, Part E.(2) are either debts incurred within 910 days of the *Petition Date* secured by a purchase money security interest in a motor vehicle acquired for the personal use of the *Debtor(s)* or debts incurred within one year of the *Petition Date* secured by any other thing of value.

The claims listed in Section I, Part E.(2) shall be paid by the *Trustee* as fully secured to the extent of the allowed amount (per a timely filed Proof of Claim not objected to by a party in interest). Such creditors shall retain their liens on the *Collateral* described in Section I, Part E.(2) until the earlier of the payment of the underlying debt determined under non-bankruptcy law or a discharge under § 1328 and shall receive interest at the rate indicated from the date of confirmation. The principal balance owing upon confirmation of the *Plan* on the allowed secured claim shall be reduced by the total of adequate protection payments paid to the creditor by the *Trustee*.

To the extent a secured claim not provided for in Section I, Part D, E.(1) or E.(2) is allowed by the Court, *Debtor(s)* will pay the claim direct per the contract or statute.

Each secured claim shall constitute a separate class.

F. SATISFACTION OF CLAIM BY SURRENDER OF COLLATERAL:

The claims listed in Section I, Part F shall be satisfied as secured to the extent of the value of the *Collateral*, as stated in the *Plan*, by surrender of the *Collateral* by the *Debtor(s)* on or before confirmation. Any amount claimed in excess of the value of the *Collateral*, to the extent it is allowed, shall be automatically split and treated as indicated in Section I, Part H or J, per 11 U.S.C. § 506(a).

Each secured claim shall constitute a separate class.

G. DIRECT PAYMENTS BY DEBTOR(S):

Payments on all secured claims listed in Section I, Part G shall be disbursed by the *Debtor(s)* to the claimant in accordance with the terms of their agreement or any applicable statute, unless otherwise provided in Section III, "Nonstandard Provisions."

No direct payment to the IRS from future income or earnings in accordance with 11 U.S.C. § 1322(a)(1) will be permitted.

Each secured claim shall constitute a separate class.

H. PRIORITY CLAIMS OTHER THAN DOMESTIC SUPPORT OBLIGATIONS:

Failure to object to confirmation of this *Plan* shall not be deemed acceptance of the "SCHED. AMT." shown in Section I, Part H. The claims listed in Section I, Part H shall be paid their allowed amount by the *Trustee*, in full, pro-rata, as priority claims, without interest.

I. CLASSIFIED UNSECURED CLAIMS:

Classified unsecured claims shall be treated as allowed by the Court.

J. GENERAL UNSECURED CLAIMS TIMELY FILED:

All other allowed claims not otherwise provided for herein shall be designated general unsecured claims.

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 8 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

K. EXECUTORY CONTRACTS AND UNEXPIRED LEASES:

As provided in § 1322(b)(7) of the Bankruptcy Code, the *Debtor(s)* assume(s) or reject(s) the executory contracts or unexpired leases with parties as indicated in Section I, Part K.

Assumed lease and executory contract arrearage amounts shall be disbursed by the Trustee as indicated in Section I, Part K.

L. CLAIMS TO BE PAID:

"TERM (APPROXIMATE)" as used in this *Plan* states the estimated number of months from the *Petition Date* required to fully pay the allowed claim. If adequate protection payments have been authorized and made, they will be applied to principal as to both under-secured and fully secured claims and allocated between interest and principal as to over-secured claims. Payment pursuant to this *Plan* will only be made on statutory, secured, administrative, priority and unsecured claims that are allowed or, pre-confirmation, that the *Debtor(s)* has/have authorized in a filed Authorization for Adequate Protection Disbursements.

M. ADDITIONAL PLAN PROVISIONS:

Any additional Plan provisions shall be set out in Section III, "Nonstandard Provisions."

N. POST-PETITION NON-ESCROWED AD VALOREM (PROPERTY) TAXES AND INSURANCE:

Whether the *Debtor* is a *Conduit Debtor* or not, if the regular payment made by the *Debtor* to a *Mortgage Lender* or any other lienholder secured by real property does not include an escrow for the payment of ad valorem (property) taxes or insurance, the *Debtor* is responsible for the timely payment of post-petition taxes directly to the tax assessor and is responsible for maintaining property insurance as required by the mortgage security agreement, paying all premiums as they become due directly to the insurer. If the *Debtor* fails to make these payments, the mortgage holder may, but is not required to, pay the taxes and/or the insurance. If the mortgage holder pays the taxes and/or insurance, the mortgage holder may file, as appropriate, a motion for reimbursement of the amount paid as an administrative claim or a *Notice of Payment Change by Mortgage Lender* or a *Notice of Fees, Expenses, and Charges*.

O. CLAIMS NOT FILED:

A claim not filed with the Court will not be paid by the *Trustee* post-confirmation regardless of its treatment in Section I or on the *AAPD*.

P. CLAIMS FOR PRE-PETITION NON-PECUNIARY PENALTIES, FINES, FORFEITURES, MULTIPLE, EXEMPLARY OR PUNITIVE DAMAGES:

Any unsecured claim for a non-pecuniary penalty, fine, or forfeiture, or for multiple, exemplary or punitive damages, expressly including an IRS penalty to the date of the petition on unsecured and/or priority claims, shall be paid only a pro-rata share of any funds remaining after all other unsecured claims, including late filed claims, have been paid in full.

Q. CLAIMS FOR POST-PETITION PENALTIES AND INTEREST:

No interest, penalty, or additional charge shall be allowed on any pre-petition claims subsequent to the filing of the petition, unless expressly provided herein.

R. BUSINESS CASE OPERATING REPORTS:

Upon the filing of the *Trustee*'s 11 U.S.C. § 1302(c) Business Case Report, business *Debtors* are no longer required to file operating reports with the *Trustee*, unless the *Trustee* requests otherwise. The filing of the *Trustee*'s 11 U.S.C. § 1302(c) Business Case Report shall terminate the *Trustee*'s duties but not the *Trustee*'s right to investigate or monitor the *Debtor's(s')* business affairs, assets or liabilities.

S. NO TRUSTEE'S LIABILITY FOR DEBTOR'S POST-CONFIRMATION OPERATION AND BAR DATE FOR CLAIMS FOR PRE-CONFIRMATION OPERATIONS:

The *Trustee* shall not be liable for any claim arising from the post-confirmation operation of the *Debtor's(s')* business. Any claims against the *Trustee* arising from the pre-confirmation operation of the *Debtor's(s')* business must be filed with the Bankruptcy Court within sixty (60) days after entry by the Bankruptcy Court of the Order of Confirmation or be barred.

T. DISPOSAL OF DEBTOR'S NON-EXEMPT PROPERTY; RE-VESTING OF PROPERTY; NON-LIABILITY OF TRUSTEE FOR PROPERTY IN POSSESSION OF DEBTOR WHERE DEBTOR HAS EXCLUSIVE RIGHT TO USE, SELL, OR LEASE IT; AND TRUSTEE PAYMENTS UPON POST CONFIRMATION CONVERSION OR DISMISSAL:

Debtor(s) shall not dispose of or encumber any non-exempt property or release or settle any lawsuit or claim by Debtor(s), prior to discharge, without consent of the Trustee or order of the Court after notice to the Trustee and all creditors.

Case No: 17-40257-13

Debtor(s): **Donald Gene Atwell**

Glynda Ellen Atwell

Property of the estate shall not vest in the *Debtor* until such time as a discharge is granted or the *Case* is dismissed or closed without discharge. Vesting shall be subject to all liens and encumbrances in existence when the *Case* was filed and all valid post-petition liens, except those liens avoided by court order or extinguished by operation of law. In the event the *Case* is converted to a case under chapter 7, 11, or 12 of the Bankruptcy Code, the property of the estate shall vest in accordance with applicable law. After confirmation of the *Plan*, the *Trustee* shall have no further authority, fiduciary duty or liability regarding the use, sale, insurance of or refinance of property of the estate except to respond to any motion for the proposed use, sale, or refinance of such property as required by the applicable laws and/or rules. Prior to any discharge or dismissal, the *Debtor(s)* must seek approval of the court to purchase, sell, or refinance real property.

Upon dismissal of the Case post confirmation, the *Trustee* shall disburse all funds on hand in accordance with this *Plan*. Upon conversion of the Case, any balance on hand will be disbursed by the *Trustee* in accordance with applicable law.

U. ORDER OF PAYMENT:

Unless otherwise ordered by the court, all claims and other disbursements made by the Chapter 13 *Trustee* after the entry of an order confirming the Chapter 13 Plan, whether pursuant to this *Plan* or a modification thereof, will be paid in the order set out below, to the extent a creditor's claim is allowed or the disbursement is otherwise authorized. Each numbered paragraph below is a level of payment. All disbursements which are in a specified monthly amount are referred to as "per mo." At the time of any disbursement, if there are insufficient funds on hand to pay any per mo payment in full, claimant(s) with a higher level of payment shall be paid any unpaid balance owed on a per mo payment plus the current per mo payment owed to that same claimant, in full, before any disbursement to a claimant with a lower level of payment. If multiple claimants are scheduled to receive per mo payments within the same level of payment and there are insufficient funds to make those payments in full, available funds will be disbursed to the claimants within that level on a pro-rata basis. Claimants with a higher level of payment which are designated as receiving pro-rata payments shall be paid, in full, before any disbursements are made to any claimant with a lower level of payment.

- 1st -- Clerk's Filing Fee and Trustee's Percentage Fee(s) and Noticing Fees in B.(1) and B.(2) and per statutory provisions will be paid in full.
- 2nd -- Current Post-Petition Mortgage Payments (Conduit) in D.(2) and as adjusted according to the General Order, which must be designated to be paid per mo.
- 3rd -- Creditors listed in E.(1)(A) and E.(2)(A), which must be designated to be paid per mo, and Domestic Support Obligations ("DSO") in B.(3), which must be designated to be paid per mo.
- 4th -- Attorney Fees in C, which must be designated to be paid pro-rata.
- 5th -- Post-Petition Mortgage Arrearage as set out in D.(3), if designated to be paid per mo.
- 6th -- Post-Petition Mortgage Arrearage as set out in D.(3), if designated to be paid pro-rata.
- 7th -- Arrearages owed on Executory Contracts and Unexpired Leases in K, which must be designated to be paid per mo.
- 8th -- Any Creditors listed in D.(1), if designated to be paid per mo.
- 9th -- Any Creditors listed in D.(1), if designated to be paid pro-rata and/or Creditors listed in E.(1)(B) or E.(2)(B), which must be designated to be paid pro-rata.
- 10th -- All amounts allowed pursuant to a Notice of Fees, Expenses and Charges, which will be paid pro-rata.
- 11th -- Priority Creditors Other than Domestic Support Obligations ("Priority Creditors") in H, which must be designated to be paid pro-rata.
- 12th -- Special Class in I, which must be designated to be paid per mo.
- 13th -- Unsecured Creditors in J, other than late filed or penalty claims, which must be designated to be paid pro-rata.
- 14th -- Late filed claims by Secured Creditors in D.(1), D.(2), D.(3), E.(1) and E.(2), which must be designated to be paid pro-rata, unless other treatment is authorized by the Court.
- 15th -- Late filed claims for DSO or filed by Priority Creditors in B.(3) and H, which must be designated to be paid pro-rata.

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 10 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

16th -- Late filed claims by Unsecured Creditors in J, which must be designated to be paid pro-rata.

17th -- Unsecured claims for a non-pecuniary penalty, fine, or forfeiture, or for multiple, exemplary or punitive damages, expressly including an IRS penalty to the date of the petition on unsecured and/or priority claims. These claims must be designated to be paid pro-rata.

V. POST-PETITION CLAIMS:

Claims filed under § 1305 of the Bankruptcy Code shall be paid as allowed. To the extent necessary, Debtor(s) will modify this Plan.

W. TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS ("TRCC") PROCEDURE:

See the provisions of the General Order regarding this procedure.

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 11 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

SECTION III NONSTANDARD PROVISIONS

The following nonstandard provisions, if any, constitute terms of this *Plan*. Any nonstandard provision placed elsewhere in the *Plan* is void.

None.

I, the undersigned, hereby certify that the Plan contains no nonstandard provisions other than those set out in this final paragraph.

/s/ Weldon Reed Allmand		
Weldon Reed Allmand, Debtor's(s') Attorney	Debtor (if unrepresented by an attorney)	
Debtor's(s') Chapter 13 Plan (Containing a Motion for Value	nation) is respectfully submitted.	
/s/ Weldon Reed Allmand	24027134	
Weldon Reed Allmand, Debtor's(s') Counsel	State Bar Number	

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 12 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that the foregoing Debtor's(s') Chapter 13 Plan (Containing a Motion for Valuation) was served on the following entities either by Electronic Service or by First Class Mail, Postage Pre-paid on the ____13th day of February, 2017 ___:

(List each party served, specifying the name and address of each party)

Dated: February 13, 2017	/s/ Weldon Reed Allm	nand
	Weldon Reed Allmand	I, Debtor's(s') Counsel
Acceptance Now xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	Attorney General of Texas Bankruptcy Collection Division PO Box 12017 Austin, TX 78711	Credit Systems Intl In xxxxx1080 1277 Country Club Ln Fort Worth, TX 76112
Ad Astra Recovery Serv xxx8754 3611 N Ridge Road #104 Wichita, KS 67205	City of Fort Worth Appraisal c/oLinebarger Goggan Blair & Sampson LLP 2323 Bryan Street, Ste 1600 Dallas, TX 75201	Credit Systems Intl In xxxxx5930 1277 Country Club Ln Fort Worth, TX 76112
Ad Astra Recovery Serv xxx5131 3611 N Ridge Road #104 Wichita, KS 67205	Covington Credit/Smc xxxxx0485 P.O. Box 1947 Greenville, SC 29602	Credit Systems Intl In xxxxxx-xxx9181 1277 Country Club Ln Fort Worth, TX 76112
Advanced Genomics xx8680 4939 D Zavala, Suite 101 San Antonio, TX 78249	Credit Service Co xxx7932 PO Box 1120 Colorado Springs, CO 80901	Credit Systems Intl In xxx7932 PO Box 1120 Colorado Springs, CO 80901
Alliance one xxxx4097 6160 Mission Gorge Road San Diego, CA 92120	Credit Service Co xxx4217 PO Box 1120 Colorado Springs, CO 80901	Diversified Credit Sys x3436 PO Box 3424 Longview, TX 75606
Ally Financial xxxxxxxx1450 PO Box 78234 Phoenix, AZ 85062	Credit Systems Intl In xxxxx2419 1277 Country Club Ln Fort Worth, TX 76112	Donald Gene Atwell 11041Peninsula Lane Keller, TX 76244

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 13 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

DRS

PO Box 830808 Richardson, TX 75083 Forest Park Medical at Southlake

PO Box 11192 Knoxville, TN 37939 Mnet Financial xxxxxxxxxxx1014

95 Argonaut Suite 250 Aliso Viejo, CA 92656

Monterrey Mhp Partners, Ltd D/B/A Lexington Place

DRS xxx0100

PO Box 830808 Richardson, TX 75083 Gc Servies Limited Partnership

xxxxxxxxxxxx1741 Po Box 1022

Po Box 1022 11001 Rancho Pl Wixom, MI 48393-1022 Fort Worth, TX 76244

Ecmc xxxxxx0001

101 5th St E Ste 2400 Saint Paul, MN 55101 Heart Place xx7881

P.O. Box 842464 Dallas, TX 75284 Montgomery Lovell, Ltd.

xxxxx0188 3045 Lackland Road Fort Worth, TX 76116

Financial Corp. of America

xxxxxx8655 PO Box 203500 Austin, TX 78720 Internal Revenue Service

Centralized Insolvency Operations

PO Box 7346

Philadelphia, PA 19101-7346

Montgomey Lovell, LTD

xxxxxx0188

3045 Lockland Road Fort Worth, TX 76116

First National Bank

xxxx3961 PO Box 937 Killeen, TX 76540 Internal Revenue Service

Centralized Insolvency Operations

PO Box 21126

Philadelphia, PA 19114

North Hills Hospital

xxxx8658

P.O. Box 639400 Irving, TX 75063

First National Collection Beuau

xxxxx9767

610 Waltham Way Sparks, NV 89434 Keller ISD Appraisal

c/o Perdue, Brandon, Fielder, Collins PO Box 13430

Arlington, TX 76094

NPAS Inc. xxxx6846 P.O. 99400

Louisville, KY 40269

First Premier Bank xxxx-xxxx-1819

PO Box 5519

Sioux Falls, SD 57117

Medicredit, Inc xxxx1339 PO Box 1629

Maryland Heights, MO 63043

NTTA/Linebarger, Goggan, Blair &

Sampson, LLP P.O. Box 3064

Houston, TX Z77253

First Premier Bank xxxxxxx6534

601 South Minnesota Ave Sioux Falls, SD 57104 Mirand Response Systems

xxxxxx7995 PO BOx 219050

Houston, TX 77218-9050

One Main Finance xxxx1559

6633 Blvd 26, Ste 107

North Richland Hill, TX 76180

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 14 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell

Glynda Ellen Atwell

Paramount Recovery Systems

xxxxxxxxxxxxx9355 105 Deanna St

Robinson, TX 76706

Tarrant County College Appraisal c/o Linebarger Goggan Blair &

SampsonLLP

2323 Bryan Street, Ste. 1600

Dallas, TX 75201

Professional Account Management

xxxx6942

PO Box 866608 Plano, TX 75086 **Tarrant County Hospital District**

Apprais

c/o Linebarger Goggan Blair &

SampsonLLP

2323 Bryan Street, Ste. 1600

Dallas, TX 75201

Regional Water District Appraisal c/oLinebarger Goggan Blair &

Sampson LLP

2323 Bryan Street, Ste 1600

Dallas, TX 75201

Texas Alcoholic Beverage Comm Licences and Permits Division

P.O. Box 13127

Austin, TX 78711-3127

Rs Clark and Associate

xxxxxxxxxx0025 12990 Pandora Dr Ste 150

Dallas, TX 75238

TX Health physician Group

xxxx2493 P.O. Box 732262 Dallas, TX 75573

Rs Clark and Associate

xxxxxxxxx2520 12990 Pandora Dr Ste 150

Dallas, TX 75238

TX Health physician Group

xxxxxx6291 P.O. Box 732262 Dallas, TX 75573

Snap Finance

136 E. South Temple #2420

Salt Lake City, UT 84111

United Revenue Corp

xxx7009

204 Billings St Ste 120 Arlington, TX 76010

Spine Team Texas PA 10840 Texas Health Trail

Keller, TX 76244

United States Attorney - NORTH 3rd Floor, 1100 Commerce St.

Dallas, TX 75242

Tarrant County Appraisal c/o Linebarger Goggan Blair &

SampsonLLP

2323 Bryan Street, Ste. 1600

Dallas, TX 75201

World Finance Corporat xxxxxxxx6201

3225 Harwood Road Bedford, TX 76021 Allmand Law Firm, PLLC 860 Airport Freeway, Suite 401

Hurst, TX 76054

Bar Number: **24027134** Phone: **(214) 265-0123**

IN THE UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

Revised 10/1/2016

IN RE: Donald Gene Atwell

xxx-xx-9706

CASE NO: 17-40257-13

11041Peninsula Lane Keller, TX 76244 § §

8

Glynda Ellen Atwell 11041Peninsula Lane Keller, TX 76244 xxx-xx-6804

Debtor(s)

AUTHORIZATION FOR ADEQUATE PROTECTION DISBURSEMENTSDATED: 1/25/2017

The undersigned Debtor(s) hereby request that payments received by the Trustee prior to confirmation be disbursed as indicated below:

Periodic Payment Amount	Variable Plan Payments. See Monthly Schedule below.*			
Disbursements	First (1)	Second (2) (Other)		
Account Balance Reserve	\$5.00	\$5.00 carried forward		
Trustee Percentage Fee	\$74.90	See below*		
Filing Fee	\$0.00	See below*		
Noticing Fee	\$56.70	See below*		
Subtotal Expenses/Fees	\$136.60	See below*		
Available for payment of Adequate Protection, Attorney Fees and Current Post-Petition Mortgage Payments:	\$617.40	See below*		

CREDITORS SECURED BY VEHICLES (CAR CREDITORS):

Name	Collateral	Scheduled Amount	Value of Collateral	Adequate Protection Percentage	Adequate Protection Payment Amount
Ally Financial	2012 Ford F 150	\$26,309.39	\$15,781.25	1.25%	\$197.27
One Main Finance	2007 Honda Ridgeline V-6 (approx	\$7,324.07	\$9,981.25	1.25%	\$91.55

Total Adequate Protection Payments for Creditors Secured by Vehicles:

\$288.82

CURRENT POST-PETITION MORTGAGE PAYMENTS (CONDUIT):

			Scheduled	Value of	
Name	Collateral	Start Date	Amount	Collateral	Payment Amount

Payments for Current Post-Petition Mortgage Payments (Conduit):

\$0.00

Case 17-40257-rfn13 Doc 17 Filed 02/15/17 Entered 02/15/17 22:47:51 Page 16 of 20

Case No: 17-40257-13

Debtor(s): Donald Gene Atwell
Glynda Ellen Atwell

CREDITORS SECURED BY COLLATERAL OTHER THAN A VEHICLE:

Name	Collateral	Scheduled Amount	Value of Collateral	Adequate Protection Percentage	Adequate Protection Payment Amount
Monterrey Mhp Partners, Ltd	rental lot	\$1,462.00	\$1,462.00	1.25%	\$18.27
Montgomery Lovell, Ltd.	mobile Home	\$2,093.00	\$2,093.00	1.25%	\$26.16

Total Adequate Protection Payments for Creditors Secured by Collateral other than a vehicle:

\$44.43

TOTAL PRE-CONFIRMATION PAYMENTS

First Month Disbursement (after payment of Clerk's Filing Fee, any Noticing Fee, Chapter 13 Trustee Percentage Fee, and retention of the Account Balance Reserve):

Current Post-Petition Mortgage Payments (Conduit payments), per mo:

Adequate Protection to Creditors Secured by Vehicles ("Car Creditor"), per mo:

\$288.82

Debtor's Attorney, per mo:

\$284.15

Adequate Protection to Creditors Secured by other than a Vehicle, per mo:

\$44.43

Disbursements starting month 2 (after payment of Clerk's Filing Fee, any Noticing Fee, Chapter 13 Trustee Percentage Fee, and retention of the Account Balance Reserve):

Current Post-Petition Mortgage Payments (Conduit payments), per mo:

\$0.00 \$288.82

Adequate Protection to Creditors Secured by Vehicles ("Car Creditor"), per mo: Debtor's Attorney, per mo:

See Monthly Schedule below*

Adequate Protection to Creditors Secured by other than a Vehicle, per mo:

\$44.43

*Monthly Schedule

Month	Plan Payment	Account Balance Reserve	Trustee Percentage Fee	Filing Fees	Noticing Fees	Subtotal Expenses/ Fees	Available	Available for APD	Available for Attorney
1	\$754.00	\$5.00	\$74.90	\$0.00	\$56.70	\$136.60	\$617.40	\$333.25	\$284.15
2	\$754.00		\$75.40			\$75.40	\$678.60	\$333.25	\$345.35
3	\$754.00		\$75.40			\$75.40	\$678.60	\$333.25	\$345.35
4	\$754.00		\$75.40			\$75.40	\$678.60	\$333.25	\$345.35
5	\$754.00		\$75.40			\$75.40	\$678.60	\$333.25	\$345.35
6	\$754.00		\$75.40			\$75.40	\$678.60	\$333.25	\$345.35
7	\$1,514.00		\$151.40			\$151.40	\$1,362.60	\$333.25	\$1,029.35
8	\$1,514.00		\$151.40			\$151.40	\$1,362.60	\$333.25	\$430.75

Order of Payment:

Unless otherwise ordered by the court, all claims and other disbursements made by the Chapter 13 Trustee prior to entry of an order confirming the Chapter 13 Plan will be paid in the order set out above. All disbursements which are in a specified monthly amount are referred to as "per mo". At the time of any disbursement, if there are insufficient funds on hand to pay any per mo payment in full, claimant(s) with a higher level of payment shall be paid any unpaid balance owed on the per mo payment plus the current per mo payment owed to that same claimant, in full, before any disbursement to a claimant with a lower level of payment. Other than the Current Post-Petition Mortgage Payments, the principal balance owing upon confirmation of the Plan on the allowed secured claim shall be reduced by the total of adequate protection payments, less any interest (if applicable), paid to the creditor by the Trustee.

DATED: 2/13/2017	
/s/ Weldon Reed Allmand	
Attorney for Debtor(s)	

IN RE:	Donald Gene Atwell		CASE NO.	. 17-40257-13		
		Debtor				
	Glynda Ellen Atwell		CHAPTER	13		
		Joint Debtor				
		CERTIFICATE OF S	ERVICE			
attachmen	nts, was served on eac	ertify that on February 13, 2017, a cop ch party in interest listed below, by pla nce with Local Rule 9013 (g). /s/ Weldon Reed Allmand				
		Weldon Reed Allmand Bar ID:24027134 Allmand Law Firm, PLLC 860 Airport Freeway, Suite 401 Hurst, TX 76054 (214) 265-0123		_		
	xxxxxxxxxxxx0079 dquarters Dr	Alliance one xxxx4097 6160 Mission Gorge Roa San Diego, CA 92120	xx id P.	ovington Credit/Smc xxx0485 O. Box 1947 reenville, SC 29602		

Ad Astra Recovery Serv xxx8754

3611 N Ridge Road #104

Wichita, KS 67205

Ad Astra Recovery Serv

xxx5131

3611 N Ridge Road #104

Wichita, KS 67205

Attorney General of Texas Bankruptcy Collection Division PO Box 12017

Austin, TX 78711

Ally Financial

xxxxxxxx1450

PO Box 78234

Phoenix, AZ 85062

Advanced Genomics xx8680

4939 D Zavala, Suite 101 San Antonio, TX 78249

City of Fort Worth Appraisal c/oLinebarger Goggan Blair & Sampson 2323 Bryan Street, Ste 1600

Dallas, TX 75201

Credit Service Co xxx7932 PO Box 1120

Colorado Springs, CO 80901

Credit Service Co

xxx4217 PO Box 1120

Colorado Springs, CO 80901

Credit Systems Intl In

xxxxx2419 1277 Country Club Ln

Fort Worth, TX 76112

IN RE: Donald Gene Atwell Debtor Glynda Ellen Atwell		CASE NO. 17-40257-13 CHAPTER 13	
Credit Systems Intl In xxxxx1080 1277 Country Club Ln Fort Worth, TX 76112	DRS xxx0100 PO Box 830808 Richardson, TX 75083	Forest Park Medical at Southlake PO Box 11192 Knoxville, TN 37939	
Credit Systems Intl In xxxxx5930 1277 Country Club Ln Fort Worth, TX 76112	Ecmc xxxxxx0001 101 5th St E Ste 2400 Saint Paul, MN 55101	Gc Servies Limited Partnership xxxxxxxxxxxx1741 Po Box 1022 Wixom, MI 48393-1022	
Credit Systems Intl In xxxxxx-xxx9181 1277 Country Club Ln Fort Worth, TX 76112	Financial Corp. of America xxxxxx8655 PO Box 203500 Austin, TX 78720	Heart Place xx7881 P.O. Box 842464 Dallas, TX 75284	
Credit Systems Intl In xxx7932 PO Box 1120 Colorado Springs, CO 80901	First National Bank xxxx3961 PO Box 937 Killeen, TX 76540	Internal Revenue Service Centralized Insolvency Operations PO Box 7346 Philadelphia, PA 19101-7346	
Diversified Credit Sys x3436 PO Box 3424 Longview, TX 75606	First National Collection Beuau xxxxx9767 610 Waltham Way Sparks, NV 89434	Internal Revenue Service Centralized Insolvency Operations PO Box 21126 Philadelphia, PA 19114	
Donald Gene Atwell 11041Peninsula Lane Keller, TX 76244	First Premier Bank xxxx-xxxx-xxxx-1819 PO Box 5519 Sioux Falls, SD 57117	Keller ISD Appraisal c/o Perdue, Brandon, Fielder, Collins PO Box 13430 Arlington, TX 76094	
DRS PO Box 830808 Richardson, TX 75083	First Premier Bank xxxxxxxx6534 601 South Minnesota Ave	Medicredit, Inc xxxx1339 PO Box 1629	

Sioux Falls, SD 57104

Maryland Heights, MO 63043

IN RE:	Donald Gene Atwell		CASE NO. 17-40257-13				
		Debtor					
	Glynda Ellen Atwell		CHAPTER 13				
Joint Debtor							
CERTIFICATE OF SERVICE (Continuation Sheet #2)							
xxxxxx799 PO BOx 2	· -	NTTA/Linebarger, Goo Sampson, LLP P.O. Box 3064 Houston, TX Z77253	136 E. Sout	ce th Temple #2420 city, UT 84111			
		One Main Finance xxxx1559 6633 Blvd 26, Ste 107 North Richland Hill, TX	Keller, TX 7	as Health Trail			
D/B/A Lex 11001 Rai	Mhp Partners, Ltd kington Place ncho Pl h, TX 76244	Paramount Recovery 3 xxxxxxxxxxxx9355 105 Deanna St Robinson, TX 76706	c/o Linebarg SampsonLl	Street, Ste. 1600			
xxxxx0188 3045 Lack	ery Lovell, Ltd. 3 kland Road h, TX 76116	Professional Account I xxxx6942 PO Box 866608 Plano, TX 75086	c/o Linebarg SampsonLl	Street, Ste. 1600			
xxxxxx018 3045 Lock	ey Lovell, LTD 38 kland Road h, TX 76116	Regional Water District c/oLinebarger Goggan LLP 2323 Bryan Street, Ste Dallas, TX 75201	Blair & Sampson c/o Linebarg SampsonLL	Street, Ste. 1600			
North Hills xxxx8658 P.O. Box (Irving, TX	639400	Rs Clark and Associat xxxxxxxxx0025 12990 Pandora Dr Ste Dallas, TX 75238	Licences ar				
NPAS Inc.		Rs Clark and Associat	e TX Health p xxxxx2493	physician Group			

12990 Pandora Dr Ste 150

Dallas, TX 75238

P.O. Box 732262

Dallas, TX 75573

P.O. 99400

Louisville, KY 40269

IN RE:	Donald Gene Atwell	_ CASE NO.	17-40257-13			
	Debtor					
	Glynda Ellen Atwell	CHAPTER	13			
	Joint Debtor					
CERTIFICATE OF SERVICE						
(Continuation Sheet #3)						

TX Health physician Group xxxxxx6291 P.O. Box 732262 Dallas, TX 75573

United Revenue Corp xxx7009 204 Billings St Ste 120 Arlington, TX 76010

United States Attorney - NORTH 3rd Floor, 1100 Commerce St. Dallas, TX 75242

World Finance Corporat xxxxxxxx6201 3225 Harwood Road Bedford, TX 76021